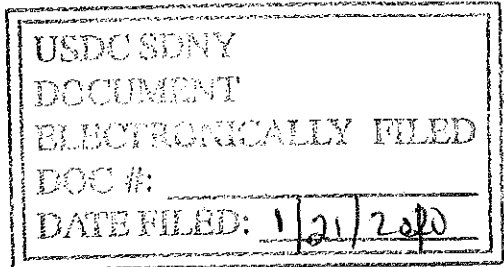


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
ROBERT MILLER, :
 : 19cv10961 (DLC)
Plaintiff, :
 : ORDER
-v- :
 :
CITYREALTY.COM, LLC and DOES 1 through :
10 inclusive, :
Defendants. :
----- X

DENISE COTE, District Judge:



This action was filed on November 26, 2019. On December 2, the Court scheduled an initial pretrial conference ("IPTC") for February 7, 2020. The Court's Notice of Initial Pretrial Conference included the following language:

YOU ARE DIRECTED (i) TO SO NOTIFY ALL ATTORNEYS IN THIS ACTION BY SERVING UPON EACH OF THEM A COPY OF THIS NOTICE AND THE COURT'S INDIVIDUAL PRACTICES FORTHWITH, AND (ii) TO FILE PROOF OF SUCH NOTICE WITH THE COURT. IF YOU ARE UNAWARE OF THE IDENTITY OF COUNSEL FOR ANY OF THE PARTIES, YOU MUST FORTHWITH SEND A COPY OF THE NOTICE AND PRACTICES TO THAT PARTY PERSONALLY.

On January 7, 2020, plaintiff filed an affidavit indicating that the summons and complaint had been served on the New York Department of State as defendant's agent for service of process. On January 17, plaintiff filed a letter motion to adjourn the IPTC. On January 21, plaintiff received a clerk's certificate of default as to defendant Cityrealty.com, LLC.

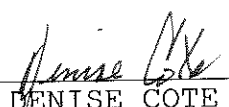
At no point did plaintiff's counsel file proof that he had served the required notice of the IPTC on the defendant. Cf.

Steeger v. JMS Cleaning Servs. LLC, No. 17cv8013 (DLC), 2018 WL 1136113, at *4 (S.D.N.Y. Feb. 28, 2018) (imposing sanctions for, inter alia, failure to serve a notice of pretrial conference). Accordingly, it is hereby

ORDERED that plaintiff's counsel shall, by **January 28, 2020**, file proof that he has served the December 2 Notice of Initial Pretrial Conference on the defendant, or a letter explaining his failure to do so.

IT IS FURTHER ORDERED that plaintiff's January 17 letter motion to adjourn the February 7 initial pretrial conference is DENIED.

Dated: New York, New York
January 21, 2020



DENISE COTE
United States District Judge